EXHIBIT 1



(248)608-9250 Fax (248)608-9252 www.tri-countycourtreporters.com

Transcript of the Testimony of Mary Beth Snyder

Date: September 15, 2009

Volume: I

Case: Feldman v Oakland University

Printed On: September 21, 2009

Deposition of Mary Beth Snyder

-[Page 5	-	Page 7
1	correct?	1	at Oakland.
2	A. Yes, I am.	2	Q. That office is?
3	Q. What position title do you hold?	3	A. Office of disability support services.
4	A. Vice-president for student affairs and enrollment	4	Q. You oversee that part?
5	management.	5	A. Yes, I do.
6	Q. How long have you worked in that position?	. 6	Q. As overseeing that department as being part of your
7	A. Fifteen years.	7	responsibilities, do you actually make decisions on
8	Q. And can you describe your duties?	8	reasonable accommodation requests?
9	A. I am responsible for the management of all the non, I'm	9	A. No, I do not.
10	responsible for all of the student life aspects of the	10	Q. And who would usually be involved in making those
11	university. The health and welfare programs, and the	11	decisions?
12	student activities areas, and also the admissions areas	12	A. The director of that program.
13	which are part of the enrollment management side of the	13	Q. Who is the current director of that program?
14	institution.	14	A. Linda Sisson.
15	Q. Pursuant to the notice and subpoena that you were given,	15	Q. How long has Linda Sisson held that position?
16	you brought your Curriculum Vitae with you today which	16	A. I don't recall the exact time frame.
17	you've given to me. It mentions also among your duties	17	Q. Is it been since 2000, has it been since November of
18	management over the student center, correct?	18	2007
19	A. Correct.	19	A. Yes.
20	Q. Campus food service, correct?	20	Q to the present.
21	A. Correct.	21	A. It has.
22	Q. Recreation center?	22	Q. Do you ever have the opportunity or responsibility to
23	A. Correct.	23	review any of her decisions?
24	Q. Career services?	24	A. I have, I can't recall a single decision that I've
25	A. Correct.	25	reviewed.
	Page 6		Page 8
1	Q. I'm not going to list all of these, but a couple that are	1	MR. BOONIN: On accommodations you're talking
2	there, health center?	2	about?
3	A. Correct.	3	Q. (Continuing by Mr. Davis:) I'm talking about
4	Q. And actually I'm not seeing housing, but is housing	4	accommodations, yes.
5	included?	5	A. I have consulted with her once or twice on accommodations.
6	A. University housing is included.	6	Or I've, let me clarify that, I've consulted, she reports
7	Q. Is it including, maybe I'm missing it. It is included?	7	to someone who reports to me.
8	A. It's the third point, admissions, financial aid, student	8	Q. And who is this person that is in between?
9	housing.	9	A. Nancy Schmitz.
10	Q. Okay. What are your degrees, what degrees have you	10	Q. And what is her title?
11	received, is there any specialty that they're in?	11	A. Assistant vice-president for student affairs.
12	A. The undergraduate degree is in English, the master's is in	12	Q. And does, is Nancy Schmitz you said?
1			
13	student personnel work and higher education, and the Ph.D.	13	A. Yes, S-C-H-M-I-T-Z.
13 14	student personnel work and higher education, and the Ph.D. was in higher education.	13 14	
i			A. Yes, S-C-H-M-I-T-Z.Q. And to your knowledge, does Nancy Schmitz review in Ms. Sisson's decisions at all?
14	was in higher education.	14	Q. And to your knowledge, does Nancy Schmitz review in Ms.
14 15	was in higher education. Q. Do any of your degrees have any specialty or certification	14 15	Q. And to your knowledge, does Nancy Schmitz review in Ms. Sisson's decisions at all?
14 15 16	was in higher education. Q. Do any of your degrees have any specialty or certification regarding special education?	14 15 16	Q. And to your knowledge, does Nancy Schmitz review in Ms. Sisson's decisions at all?A. I am not aware of any particular example.
14 15 16 17	was in higher education.Q. Do any of your degrees have any specialty or certification regarding special education?A. No, they do not.	14 15 16 17	 Q. And to your knowledge, does Nancy Schmitz review in Ms. Sisson's decisions at all? A. I am not aware of any particular example. MR. BOONIN: On accommodations?
14 15 16 17 18	was in higher education.Q. Do any of your degrees have any specialty or certification regarding special education?A. No, they do not.Q. Do you have any expertise in or training in post-secondary	14 15 16 17 18	 Q. And to your knowledge, does Nancy Schmitz review in Ms. Sisson's decisions at all? A. I am not aware of any particular example. MR. BOONIN: On accommodations? Q. (Continuing by Mr. Davis:) On accommodations. A. Uh-huh.
14 15 16 17 18 19	 was in higher education. Q. Do any of your degrees have any specialty or certification regarding special education? A. No, they do not. Q. Do you have any expertise in or training in post-secondary education opportunities for persons with disabilities? 	14 15 16 17 18	 Q. And to your knowledge, does Nancy Schmitz review in Ms. Sisson's decisions at all? A. I am not aware of any particular example. MR. BOONIN: On accommodations? Q. (Continuing by Mr. Davis:) On accommodations. A. Uh-huh. Q. Have you taken any courses or sessions on reasonable
14 15 16 17 18 19 20	 was in higher education. Q. Do any of your degrees have any specialty or certification regarding special education? A. No, they do not. Q. Do you have any expertise in or training in post-secondary education opportunities for persons with disabilities? A. Nothing special. Q. Any, what experience do you have on that topic? 	14 15 16 17 18 19	 Q. And to your knowledge, does Nancy Schmitz review in Ms. Sisson's decisions at all? A. I am not aware of any particular example. MR. BOONIN: On accommodations? Q. (Continuing by Mr. Davis:) On accommodations. A. Uh-huh. Q. Have you taken any courses or sessions on reasonable accommodations with persons with disabilities?
14 15 16 17 18 19 20 21	 was in higher education. Q. Do any of your degrees have any specialty or certification regarding special education? A. No, they do not. Q. Do you have any expertise in or training in post-secondary education opportunities for persons with disabilities? A. Nothing special. Q. Any, what experience do you have on that topic? A. I have overseen the programs that work with enrolled 	14 15 16 17 18 19 20	 Q. And to your knowledge, does Nancy Schmitz review in Ms. Sisson's decisions at all? A. I am not aware of any particular example. MR. BOONIN: On accommodations? Q. (Continuing by Mr. Davis:) On accommodations. A. Uh-huh. Q. Have you taken any courses or sessions on reasonable accommodations with persons with disabilities? A. This has been discussed in professional organizations at
14 15 16 17 18 19 20 21	 was in higher education. Q. Do any of your degrees have any specialty or certification regarding special education? A. No, they do not. Q. Do you have any expertise in or training in post-secondary education opportunities for persons with disabilities? A. Nothing special. Q. Any, what experience do you have on that topic? 	14 15 16 17 18 19 20 21	 Q. And to your knowledge, does Nancy Schmitz review in Ms. Sisson's decisions at all? A. I am not aware of any particular example. MR. BOONIN: On accommodations? Q. (Continuing by Mr. Davis:) On accommodations. A. Uh-huh. Q. Have you taken any courses or sessions on reasonable accommodations with persons with disabilities?

2 (Pages 5 to 8)

4	Page 9	-	Page 11
1	A. Yes.	1	the university provides?
2	Q. What were those programs?	2	A. A service that the university provides would include
3	A. Housing is restricted to enrolled students, I would	3	recreation services, programs of the Oakland Center,
4	characterize that as an academic program. Many of the	4	lectures, programs that, counseling perhaps. Those would
5	programs that report to me have an academic requirement	5	be examples of services.
6	that students be enrolled to participate, including many of	6	Q. What responsibilities do you have in relation to the
7	our international student programs, student organizations	7	academic programs that you have responsibilities over?
8	have a rule that you have to be an enrolled student to be	8	A. I oversee admissions, which is directly related to the
9	an official of a club or organization. We have program	9	academic enterprise, financial aid as directly related to
10	rules for Graham Health Center, who can and cannot use the	10	student's ability to stay in the academic enterprise,
11	Graham Health Center. Those would be examples.	11	housing, disabled student services. We do call that a
12	Q. And what do you consider an academic program?	12	service, but it is restricted to students. We are
13	A. I consider an academic program one that is focused on the	13	complimenting in the career area what's going on in the
14	purpose of moving students toward an academic degree,	14	
15	achievement of an academic degree.	15	classroom, I oversee that aspect, trying to prepare
16	Q. How does housing move them toward achieving an academic		students alongside their classroom experience to prepare them for their first jobs.
17	degree?	17	
18	A. The services and programs are there in housing to	18	Q. So persons attending the university but are not working
19	re-enforce the serious and focused requirements that will	19	towards a degree or certificate, is just students
20	move a student in the direction and influence them to	20	continuing education program, are they, do they have
21	achieve an academic degree.	21	available to them the disability support services
22	Q. Do you know what percentage of students attending Oakland		department?
23	University are commuter students?	22 23	A. No, they do not.
24	A. The number is approximately, in the freshman year		Q. So if an individual was auditing a class let's say, and
25	approximately	24 25	they were blind and needed the book in braille, that
		25	service would not be provided, or that accommodation would
1	Page 10		Page 12
1	MR. BOONIN: Regularly enrolled students you're	1	not be provided to them?
2	talking about?	2	A. I am not sure of that. Not to my recollection, I don't
3	MR. DAVIS: Yes, regularly enrolled students.		
4		3	know whether they are or not.
-	A. Approximately eighty-five percent.	4	know whether they are or not. Q. If again an individual is auditing a class, not working
5	Q. (Continuing by Mr. Davis:) Just to be clear. Like in any	4 5	know whether they are or not. Q. If again an individual is auditing a class, not working towards a degree, if they were wheelchair bound, and needed
6	Q. (Continuing by Mr. Davis:) Just to be clear. Like in any given academic semester, what percentage of the student	4	know whether they are or not. Q. If again an individual is auditing a class, not working towards a degree, if they were wheelchair bound, and needed an accessible classroom or something, would that be
6 7	Q. (Continuing by Mr. Davis:) Just to be clear. Like in any given academic semester, what percentage of the student body is commuter students, do you know?	4 5	know whether they are or not. Q. If again an individual is auditing a class, not working towards a degree, if they were wheelchair bound, and needed
6 7 8	Q. (Continuing by Mr. Davis:) Just to be clear. Like in any given academic semester, what percentage of the student body is commuter students, do you know?A. Eighty-five, ninety percent.	4 5 6	know whether they are or not. Q. If again an individual is auditing a class, not working towards a degree, if they were wheelchair bound, and needed an accessible classroom or something, would that be
6 7 8 9	 Q. (Continuing by Mr. Davis:) Just to be clear. Like in any given academic semester, what percentage of the student body is commuter students, do you know? A. Eighty-five, ninety percent. Q. If they're moving toward achieving an academic goal or 	4 5 6 7	 know whether they are or not. Q. If again an individual is auditing a class, not working towards a degree, if they were wheelchair bound, and needed an accessible classroom or something, would that be something that would be accommodated through disability support services? A. A student who is in continuing education auditing a class?
6 7 8 9 10	 Q. (Continuing by Mr. Davis:) Just to be clear. Like in any given academic semester, what percentage of the student body is commuter students, do you know? A. Eighty-five, ninety percent. Q. If they're moving toward achieving an academic goal or degree and outcome, correct, the commuting students? 	4 5 6 7 8	know whether they are or not. Q. If again an individual is auditing a class, not working towards a degree, if they were wheelchair bound, and needed an accessible classroom or something, would that be something that would be accommodated through disability support services? A. A student who is in continuing education auditing a class? Q. A person who's auditing a class, not working towards a
6 7 8 9 10 11	 Q. (Continuing by Mr. Davis:) Just to be clear. Like in any given academic semester, what percentage of the student body is commuter students, do you know? A. Eighty-five, ninety percent. Q. If they're moving toward achieving an academic goal or degree and outcome, correct, the commuting students? A. Many are engaged in programs that lead, they're enrolled 	4 5 6 7 8 9	 know whether they are or not. Q. If again an individual is auditing a class, not working towards a degree, if they were wheelchair bound, and needed an accessible classroom or something, would that be something that would be accommodated through disability support services? A. A student who is in continuing education auditing a class?
6 7 8 9 10 11	 Q. (Continuing by Mr. Davis:) Just to be clear. Like in any given academic semester, what percentage of the student body is commuter students, do you know? A. Eighty-five, ninety percent. Q. If they're moving toward achieving an academic goal or degree and outcome, correct, the commuting students? A. Many are engaged in programs that lead, they're enrolled and courses that lead to a degree. 	4 5 6 7 8 9	know whether they are or not. Q. If again an individual is auditing a class, not working towards a degree, if they were wheelchair bound, and needed an accessible classroom or something, would that be something that would be accommodated through disability support services? A. A student who is in continuing education auditing a class? Q. A person who's auditing a class, not working towards a
6 7 8 9 10 11 12	 Q. (Continuing by Mr. Davis:) Just to be clear. Like in any given academic semester, what percentage of the student body is commuter students, do you know? A. Eighty-five, ninety percent. Q. If they're moving toward achieving an academic goal or degree and outcome, correct, the commuting students? A. Many are engaged in programs that lead, they're enrolled and courses that lead to a degree. Q. So I guess I'm trying to understand how housing is an 	4 5 6 7 8 9 10	 know whether they are or not. Q. If again an individual is auditing a class, not working towards a degree, if they were wheelchair bound, and needed an accessible classroom or something, would that be something that would be accommodated through disability support services? A. A student who is in continuing education auditing a class? Q. A person who's auditing a class, not working towards a degree, I don't know if you considered them a student or not? A. We do not, we do not serve through our accommodation
6 7 8 9 10 11 12 13	 Q. (Continuing by Mr. Davis:) Just to be clear. Like in any given academic semester, what percentage of the student body is commuter students, do you know? A. Eighty-five, ninety percent. Q. If they're moving toward achieving an academic goal or degree and outcome, correct, the commuting students? A. Many are engaged in programs that lead, they're enrolled and courses that lead to a degree. Q. So I guess I'm trying to understand how housing is an academic program at least, or is involved in the academic 	4 5 6 7 8 9 10 11 12 13	 know whether they are or not. Q. If again an individual is auditing a class, not working towards a degree, if they were wheelchair bound, and needed an accessible classroom or something, would that be something that would be accommodated through disability support services? A. A student who is in continuing education auditing a class? Q. A person who's auditing a class, not working towards a degree, I don't know if you considered them a student or not? A. We do not, we do not serve through our accommodation process individuals who aren't enrolled in a regular degree
6 7 8 9 10 11 12 13 14	 Q. (Continuing by Mr. Davis:) Just to be clear. Like in any given academic semester, what percentage of the student body is commuter students, do you know? A. Eighty-five, ninety percent. Q. If they're moving toward achieving an academic goal or degree and outcome, correct, the commuting students? A. Many are engaged in programs that lead, they're enrolled and courses that lead to a degree. Q. So I guess I'm trying to understand how housing is an academic program at least, or is involved in the academic aspect of the university? 	4 5 6 7 8 9 10 11 12	 know whether they are or not. Q. If again an individual is auditing a class, not working towards a degree, if they were wheelchair bound, and needed an accessible classroom or something, would that be something that would be accommodated through disability support services? A. A student who is in continuing education auditing a class? Q. A person who's auditing a class, not working towards a degree, I don't know if you considered them a student or not? A. We do not, we do not serve through our accommodation process individuals who aren't enrolled in a regular degree program who haven't been admitted.
6 7 8 9 10 11 12 13 14 15	 Q. (Continuing by Mr. Davis:) Just to be clear. Like in any given academic semester, what percentage of the student body is commuter students, do you know? A. Eighty-five, ninety percent. Q. If they're moving toward achieving an academic goal or degree and outcome, correct, the commuting students? A. Many are engaged in programs that lead, they're enrolled and courses that lead to a degree. Q. So I guess I'm trying to understand how housing is an academic program at least, or is involved in the academic aspect of the university? A. How do you define academic? 	4 5 6 7 8 9 10 11 12 13	 know whether they are or not. Q. If again an individual is auditing a class, not working towards a degree, if they were wheelchair bound, and needed an accessible classroom or something, would that be something that would be accommodated through disability support services? A. A student who is in continuing education auditing a class? Q. A person who's auditing a class, not working towards a degree, I don't know if you considered them a student or not? A. We do not, we do not serve through our accommodation process individuals who aren't enrolled in a regular degree program who haven't been admitted. Q. What if they are in continuing education program working
6 7 8 9 10 11 12 13 14 15 16 17	 Q. (Continuing by Mr. Davis:) Just to be clear. Like in any given academic semester, what percentage of the student body is commuter students, do you know? A. Eighty-five, ninety percent. Q. If they're moving toward achieving an academic goal or degree and outcome, correct, the commuting students? A. Many are engaged in programs that lead, they're enrolled and courses that lead to a degree. Q. So I guess I'm trying to understand how housing is an academic program at least, or is involved in the academic aspect of the university? A. How do you define academic? Q. You're the one who said that housing is an academic 	4 5 6 7 8 9 10 11 12 13 14	 know whether they are or not. Q. If again an individual is auditing a class, not working towards a degree, if they were wheelchair bound, and needed an accessible classroom or something, would that be something that would be accommodated through disability support services? A. A student who is in continuing education auditing a class? Q. A person who's auditing a class, not working towards a degree, I don't know if you considered them a student or not? A. We do not, we do not serve through our accommodation process individuals who aren't enrolled in a regular degree program who haven't been admitted. Q. What if they are in continuing education program working towards a certificate?
6 7 8 9 10 11 12 13 14 15 16 17 18	 Q. (Continuing by Mr. Davis:) Just to be clear. Like in any given academic semester, what percentage of the student body is commuter students, do you know? A. Eighty-five, ninety percent. Q. If they're moving toward achieving an academic goal or degree and outcome, correct, the commuting students? A. Many are engaged in programs that lead, they're enrolled and courses that lead to a degree. Q. So I guess I'm trying to understand how housing is an academic program at least, or is involved in the academic aspect of the university? A. How do you define academic? Q. You're the one who said that housing is an academic program. I'm trying to understand what you consider an 	4 5 6 7 8 9 10 11 12 13 14 15 16	 know whether they are or not. Q. If again an individual is auditing a class, not working towards a degree, if they were wheelchair bound, and needed an accessible classroom or something, would that be something that would be accommodated through disability support services? A. A student who is in continuing education auditing a class? Q. A person who's auditing a class, not working towards a degree, I don't know if you considered them a student or not? A. We do not, we do not serve through our accommodation process individuals who aren't enrolled in a regular degree program who haven't been admitted. Q. What if they are in continuing education program working towards a certificate? A. I don't know the answer to that question.
6 7 8 9 10 11 12 13 14 15 16 17 18	 Q. (Continuing by Mr. Davis:) Just to be clear. Like in any given academic semester, what percentage of the student body is commuter students, do you know? A. Eighty-five, ninety percent. Q. If they're moving toward achieving an academic goal or degree and outcome, correct, the commuting students? A. Many are engaged in programs that lead, they're enrolled and courses that lead to a degree. Q. So I guess I'm trying to understand how housing is an academic program at least, or is involved in the academic aspect of the university? A. How do you define academic? Q. You're the one who said that housing is an academic program. I'm trying to understand what you consider an academic program? 	4 5 6 7 8 9 10 11 12 13 14 15 16	 know whether they are or not. Q. If again an individual is auditing a class, not working towards a degree, if they were wheelchair bound, and needed an accessible classroom or something, would that be something that would be accommodated through disability support services? A. A student who is in continuing education auditing a class? Q. A person who's auditing a class, not working towards a degree, I don't know if you considered them a student or not? A. We do not, we do not serve through our accommodation process individuals who aren't enrolled in a regular degree program who haven't been admitted. Q. What if they are in continuing education program working towards a certificate? A. I don't know the answer to that question. Q. Are they considered students if they're enrolled in
6 7 8 9 10 11 12 13 14 15 16 17 18	 Q. (Continuing by Mr. Davis:) Just to be clear. Like in any given academic semester, what percentage of the student body is commuter students, do you know? A. Eighty-five, ninety percent. Q. If they're moving toward achieving an academic goal or degree and outcome, correct, the commuting students? A. Many are engaged in programs that lead, they're enrolled and courses that lead to a degree. Q. So I guess I'm trying to understand how housing is an academic program at least, or is involved in the academic aspect of the university? A. How do you define academic? Q. You're the one who said that housing is an academic program. I'm trying to understand what you consider an academic program? A. It's an enriched environment with programs and services 	4 5 6 7 8 9 10 11 12 13 14 15 16 17	 know whether they are or not. Q. If again an individual is auditing a class, not working towards a degree, if they were wheelchair bound, and needed an accessible classroom or something, would that be something that would be accommodated through disability support services? A. A student who is in continuing education auditing a class? Q. A person who's auditing a class, not working towards a degree, I don't know if you considered them a student or not? A. We do not, we do not serve through our accommodation process individuals who aren't enrolled in a regular degree program who haven't been admitted. Q. What if they are in continuing education program working towards a certificate? A. I don't know the answer to that question. Q. Are they considered students if they're enrolled in
6 7 8 9 10 11 12 13 14 15 16 17 18	 Q. (Continuing by Mr. Davis:) Just to be clear. Like in any given academic semester, what percentage of the student body is commuter students, do you know? A. Eighty-five, ninety percent. Q. If they're moving toward achieving an academic goal or degree and outcome, correct, the commuting students? A. Many are engaged in programs that lead, they're enrolled and courses that lead to a degree. Q. So I guess I'm trying to understand how housing is an academic program at least, or is involved in the academic aspect of the university? A. How do you define academic? Q. You're the one who said that housing is an academic program. I'm trying to understand what you consider an academic program? A. It's an enriched environment with programs and services that are designed specifically to keep the student focused 	4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	 know whether they are or not. Q. If again an individual is auditing a class, not working towards a degree, if they were wheelchair bound, and needed an accessible classroom or something, would that be something that would be accommodated through disability support services? A. A student who is in continuing education auditing a class? Q. A person who's auditing a class, not working towards a degree, I don't know if you considered them a student or not? A. We do not, we do not serve through our accommodation process individuals who aren't enrolled in a regular degree program who haven't been admitted. Q. What if they are in continuing education program working towards a certificate? A. I don't know the answer to that question.
6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	 Q. (Continuing by Mr. Davis:) Just to be clear. Like in any given academic semester, what percentage of the student body is commuter students, do you know? A. Eighty-five, ninety percent. Q. If they're moving toward achieving an academic goal or degree and outcome, correct, the commuting students? A. Many are engaged in programs that lead, they're enrolled and courses that lead to a degree. Q. So I guess I'm trying to understand how housing is an academic program at least, or is involved in the academic aspect of the university? A. How do you define academic? Q. You're the one who said that housing is an academic program. I'm trying to understand what you consider an academic program? A. It's an enriched environment with programs and services that are designed specifically to keep the student focused on their degree objectives. 	4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	 know whether they are or not. Q. If again an individual is auditing a class, not working towards a degree, if they were wheelchair bound, and needed an accessible classroom or something, would that be something that would be accommodated through disability support services? A. A student who is in continuing education auditing a class? Q. A person who's auditing a class, not working towards a degree, I don't know if you considered them a student or not? A. We do not, we do not serve through our accommodation process individuals who aren't enrolled in a regular degree program who haven't been admitted. Q. What if they are in continuing education program working towards a certificate? A. I don't know the answer to that question. Q. Are they considered students if they're enrolled in continuing education department but are only working towards a certificate?
6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	 Q. (Continuing by Mr. Davis:) Just to be clear. Like in any given academic semester, what percentage of the student body is commuter students, do you know? A. Eighty-five, ninety percent. Q. If they're moving toward achieving an academic goal or degree and outcome, correct, the commuting students? A. Many are engaged in programs that lead, they're enrolled and courses that lead to a degree. Q. So I guess I'm trying to understand how housing is an academic program at least, or is involved in the academic aspect of the university? A. How do you define academic? Q. You're the one who said that housing is an academic program. I'm trying to understand what you consider an academic program? A. It's an enriched environment with programs and services that are designed specifically to keep the student focused 	4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	 know whether they are or not. Q. If again an individual is auditing a class, not working towards a degree, if they were wheelchair bound, and needed an accessible classroom or something, would that be something that would be accommodated through disability support services? A. A student who is in continuing education auditing a class? Q. A person who's auditing a class, not working towards a degree, I don't know if you considered them a student or not? A. We do not, we do not serve through our accommodation process individuals who aren't enrolled in a regular degree program who haven't been admitted. Q. What if they are in continuing education program working towards a certificate? A. I don't know the answer to that question. Q. Are they considered students if they're enrolled in continuing education department but are only working towards a certificate? A. No, they are not considered an enrolled student.
6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	 Q. (Continuing by Mr. Davis:) Just to be clear. Like in any given academic semester, what percentage of the student body is commuter students, do you know? A. Eighty-five, ninety percent. Q. If they're moving toward achieving an academic goal or degree and outcome, correct, the commuting students? A. Many are engaged in programs that lead, they're enrolled and courses that lead to a degree. Q. So I guess I'm trying to understand how housing is an academic program at least, or is involved in the academic aspect of the university? A. How do you define academic? Q. You're the one who said that housing is an academic program. I'm trying to understand what you consider an academic program? A. It's an enriched environment with programs and services that are designed specifically to keep the student focused on their degree objectives. 	4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	 know whether they are or not. Q. If again an individual is auditing a class, not working towards a degree, if they were wheelchair bound, and needed an accessible classroom or something, would that be something that would be accommodated through disability support services? A. A student who is in continuing education auditing a class? Q. A person who's auditing a class, not working towards a degree, I don't know if you considered them a student or not? A. We do not, we do not serve through our accommodation process individuals who aren't enrolled in a regular degree program who haven't been admitted. Q. What if they are in continuing education program working towards a certificate? A. I don't know the answer to that question. Q. Are they considered students if they're enrolled in continuing education department but are only working towards a certificate?

3 (Pages 9 to 12)

		. 0117	
_	Page 25		Page 2.7
1	A. Yes, they are given to them in a handbook.	1	Q. Would waving this rule about being enrolled in the
2	Q. Do they have to sign acknowledging it?	2	university as a matriculating student, waving that housing
3	A. I can't answer for sure whether they sign something.	3	condition for eligibility, would that change or alter the
4	Q. Go ahead.	4	nature of the housing program?
5	A. I vaguely recall a statement, but I don't know if they	5	A. Yes, it would.
6	still operate according to that procedure, that they sign	6	Q. How so?
7	off on a statement that they agree to abide by them.	7	A. You would have individuals living in housing who have a
8	Q. Was there any concerns that because Micah had difficulty	8	very different purpose for being there then for what
9	with reading and writing that he would not be able to	9	housing is designed for.
10	understand the rules and responsibilities of living in	10	Q. How would their purpose be different?
11	campus housing?	11	A. Their purpose would be different because they would not be
12	A. That would be a concern that was expressed between	12	continuously enrolled in courses that are important to
13	Mr. Maten and myself.	13	their degree aspirations. They would have very different
14	Q. Did you ask Micah about his ability to understand the rules		needs for services. It would be hard to say for anybody
15	and responsibilities of living on campus?	15	that wasn't a student what their requirements would be.
16	A. I did not ask Micah.	16	Right now we designed the programs and services to keep
17.	Q. Did you look into the possibility of, re-ask that question.	17	students focused on achieving the academic degree.
18	Are there students that, who are entered in degree	18	Q. Options students have requirements to attend a certain
19	programs that have accommodations regarding rules and	19	number of course each semester; is that correct?
20	policies? And by that I mean, let's say you have a student	20	A. That's my understanding.
21	that was blind, a student that is enrolled in the	21	Q. So you checked into this when you were reviewing it, is
22	university, working towards a degree. Are such rules and	22	that what you found when you were reviewing this?
23	regulations provided to them either in braille, or maybe by	23	A. I saw the proposal for what was being thought about the
24	having someone read them to them and them acknowledging	24	components of the program. I don't know firsthand what is
25	them verbally?	25	actually required.
			
	Page 26		Page 28
1	A. That would be an accommodation that we would make for a	1	Q. Okay. Would it have affected your decision to know that
2	student who qualified for admission.	2	they are to maintain a certain number of credit hours each
3	Q. Was that ever considered as a possibility in Micah's	3	semester at the university?
4	situation?	4	A. No, it would not.
5	A. No.	5	Q. Why not?
6	Q. Why not?	6	A. Because I learned that they are not, they had not gone
7	A. Because he wasn't enrolled at the university and not been	7	through the admissions process, and been determined to meet
8	admitted.	8	the requirements that allowed individuals to become a
9	Q. The enrollment in the university as a matriculating	9	degree for a candidate, or a candidate for a degree. I'm
10	student, re-ask this question.	10	sorry.
11	What is Micah's enrollment status with the university?	11	Q. If there had been a certificate offered for the OPTIONS
12	A. As I understand it, he's in a continuing ed program.	12	Program, would that have changed your decision?
13	Q. Is he a student at the university?	13	A. No.
14	A. Not according to the official definition of what a student	14	Q. Why not?
15	is.	15	A. Because individuals who receive certificates aren't, to my
16	Q. Is he a participant in a university program?	16	knowledge, an enrolled student in a degree program.
17	A. He is a participant in a university program.	17	Q. What about the housing program, in terms of what it offers,
18	Q. Participant in the university academic program?	18	would be changed by allowing a person from the OPTIONS
19	A. I would say no, according to what the common knowledge of	19	Program to live in housing on campus?
20	an academic program is.	20	A. The culture itself would change. You've got a culture with
21	Q. Is he a participant in an activity of the university?	21	undergraduates who all have the same goals, and that is to
22	A. Yes.	22	move toward degree completion. Having individuals who
23	Q. And the OPTIONS Program would be an activity of the	23	aren't of a similar mind set, who don't have that goal,
24	university?	24	changes the nature of the program. And you would have
25	A. Yes, it would be.	25	undergraduates in an environment with nonstudents, that
2655500000000			J

7 (Pages 25 to 28)

1	Page 29		Page 31
	could very much change the nature of how we interact with	1	A. I would question whether or not we would have, what kind o
2	the student, the individual. These could be program	2	rules and regulations would apply to those individuals who
3	participants in anything, and I can't imagine how families	3	are living there who aren't in a degree program. When we
4	would feel about having their degree seeking students	4	have limited space on campus, we would have a whole set of
5	living next door to individuals who aren't degree seeking	5	issues if the halls were opened to community members who
6	students. It could change the entire nature of the	6	aren't enrolled.
7	relationship between the university and the people in	7	Q. I'm talking specifically about OPTIONS Program
8	housing to the point where it's, it's no longer an academic	8	participants, what undo administrative expense?
9	program per se. You've got people there who could be	9	A. Expense?
10	living across the street and, you know, old person's home,	10	Q. What undo administrative burden are they going to create?
11	you could have anybody there. You could have all kinds of	11	A. Just take an example, you have study floors, you've got
12	people living there if you open.	12	quiet hours, you've got all kind of rules that are designed
13	Q. But if you open it up to the OPTIONS Program students,	13	to work well and keep students who have serious degree
14	you're having students that, back up.	14	aspiration on task. And if you've got individuals, OPTIONS
15	If you open it up to participants in the OPTIONS	15	or otherwise, who are not degree programs, student staff
16	Program who have gone through an application process to be	16	wouldn't, they would have to have multiple sets of rules
17	admitted to this university activity program, who are	17	and policies that would guide their interactions with these
18	required to attend a certain number, take a certain number	18	different segments of the residential population.
19	of credits each semester, wouldn't you say that	19	Q. Could you give me a for instance?
20	demonstrates a commitment to a participation in the	20	A. Well, let's take quiet hours, that's a rule that student
21	university's community?	21	staff enforce. Or let's limit it to that, and you've got
22	A. I would say that housing is there to serve the interest of	22	individuals there who really aren't getting graded in
23	the university in moving students through the pipeline to	23	classes, aren't taking classes, perhaps it's a group that
24	get their degree, and OPTIONS students don't have that goal	24 .	comes in for semester long seminar in the business school.
25	and purpose when they	25	What the student staff would, they would constantly be
	Page 30		Page 32
1	Q. The options	1	trying to intervene I'm sure in situations where
2	A are participants.	2	nonstudents might choose not to follow the rules that apply
3	Q participants aren't the same as someone coming in from	3	to the enrolled student population.
4	off the street and filing an application to live in housing	4	Q. What happens to students that don't follow the rules in the
5	on campus, would you agree with that statement?	5	dormitory?
6	A. I would agree that they are, it's a unique program. So	6	A. The students that don't follow the rules in the dormitory
7.	there are other unique programs as well that the university	7	are potentially disciplined.
8	is associated with.	8	Q. They are Subject to discipline?
9	Q. If it's a unique program, could a unique rule be created	9	
1			A. They're subject to a disciplinary process, which includes
10	for this program?	10	expulsion from the halls or the university.
11	A. I wouldn't want to oversee a presidential system where you		
11 12	A. I wouldn't want to oversee a presidential system where you pick and choose which participates in unique programs live	10	expulsion from the halls or the university. Q. So participants in the OPTIONS Program, if they were allowed in, you've given me one example of undo burden to
11 12 13	A. I wouldn't want to oversee a presidential system where you pick and choose which participates in unique programs live in the residence halls.	10 11	expulsion from the halls or the university. Q. So participants in the OPTIONS Program, if they were
11 12 13 14	 A. I wouldn't want to oversee a presidential system where you pick and choose which participates in unique programs live in the residence halls. Q. Would allowing the participants in the options program into 	10 11 12	expulsion from the halls or the university. Q. So participants in the OPTIONS Program, if they were allowed in, you've given me one example of undo burden to the student housing monitors; or hall monitors, or what? A. Residential assistants.
11 12 13 14 15	 A. I wouldn't want to oversee a presidential system where you pick and choose which participates in unique programs live in the residence halls. Q. Would allowing the participants in the options program into housing create any undo expense for the university to your 	10 11 12 13	expulsion from the halls or the university. Q. So participants in the OPTIONS Program, if they were allowed in, you've given me one example of undo burden to the student housing monitors; or hall monitors, or what?
11 12 13 14 15	 A. I wouldn't want to oversee a presidential system where you pick and choose which participates in unique programs live in the residence halls. Q. Would allowing the participants in the options program into housing create any undo expense for the university to your knowledge? 	10 11 12 13 14	expulsion from the halls or the university. Q. So participants in the OPTIONS Program, if they were allowed in, you've given me one example of undo burden to the student housing monitors; or hall monitors, or what? A. Residential assistants. Q. Residential assistants, thank you. What other undo burdens do you see for these residential assistants?
11 12 13 14 15 16	 A. I wouldn't want to oversee a presidential system where you pick and choose which participates in unique programs live in the residence halls. Q. Would allowing the participants in the options program into housing create any undo expense for the university to your knowledge? A. Having individuals who don't have degree aspirations in the 	10 11 12 13 14 15	expulsion from the halls or the university. Q. So participants in the OPTIONS Program, if they were allowed in, you've given me one example of undo burden to the student housing monitors; or hall monitors, or what? A. Residential assistants. Q. Residential assistants, thank you. What other undo burdens
11 12 13 14 15 16 17	 A. I wouldn't want to oversee a presidential system where you pick and choose which participates in unique programs live in the residence halls. Q. Would allowing the participants in the options program into housing create any undo expense for the university to your knowledge? A. Having individuals who don't have degree aspirations in the halls, in my professional judgment, puts the extra burden 	10 11 12 13 14 15	expulsion from the halls or the university. Q. So participants in the OPTIONS Program, if they were allowed in, you've given me one example of undo burden to the student housing monitors; or hall monitors, or what? A. Residential assistants. Q. Residential assistants, thank you. What other undo burdens do you see for these residential assistants? A. The residential assistants would, in trying to create community, could they expect the nonenrolled students to be
11 12 13 14 15 16 17 18	 A. I wouldn't want to oversee a presidential system where you pick and choose which participates in unique programs live in the residence halls. Q. Would allowing the participants in the options program into housing create any undo expense for the university to your knowledge? A. Having individuals who don't have degree aspirations in the halls, in my professional judgment, puts the extra burden on the student staff, and the halls, and the management of 	10 11 12 13 14 15 16	expulsion from the halls or the university. Q. So participants in the OPTIONS Program, if they were allowed in, you've given me one example of undo burden to the student housing monitors; or hall monitors, or what? A. Residential assistants. Q. Residential assistants, thank you. What other undo burdens do you see for these residential assistants? A. The residential assistants would, in trying to create community, could they expect the nonenrolled students to be integrated in the kinds of activities. They have floor
11 12 13 14 15 16 17 18 19	 A. I wouldn't want to oversee a presidential system where you pick and choose which participates in unique programs live in the residence halls. Q. Would allowing the participants in the options program into housing create any undo expense for the university to your knowledge? A. Having individuals who don't have degree aspirations in the halls, in my professional judgment, puts the extra burden on the student staff, and the halls, and the management of the halls in general. 	10 11 12 13 14 15 16 17	expulsion from the halls or the university. Q. So participants in the OPTIONS Program, if they were allowed in, you've given me one example of undo burden to the student housing monitors; or hall monitors, or what? A. Residential assistants. Q. Residential assistants, thank you. What other undo burdens do you see for these residential assistants? A. The residential assistants would, in trying to create community, could they expect the nonenrolled students to be integrated in the kinds of activities. They have floor meetings, they have faculty coming into the halls talking
11 12 13 14 15 16 17 18 19 20 21	 A. I wouldn't want to oversee a presidential system where you pick and choose which participates in unique programs live in the residence halls. Q. Would allowing the participants in the options program into housing create any undo expense for the university to your knowledge? A. Having individuals who don't have degree aspirations in the halls, in my professional judgment, puts the extra burden on the student staff, and the halls, and the management of the halls in general. Q. You're talking about administrative burden? 	10 11 12 13 14 15 16 17 18 19 20 21	expulsion from the halls or the university. Q. So participants in the OPTIONS Program, if they were allowed in, you've given me one example of undo burden to the student housing monitors; or hall monitors, or what? A. Residential assistants. Q. Residential assistants, thank you. What other undo burdens do you see for these residential assistants? A. The residential assistants would, in trying to create community, could they expect the nonenrolled students to be integrated in the kinds of activities. They have floor meetings, they have faculty coming into the halls talking to the students. They try to get their entire floor there,
11 12 13 14 15 16 17 18 19 20 21 22	 A. I wouldn't want to oversee a presidential system where you pick and choose which participates in unique programs live in the residence halls. Q. Would allowing the participants in the options program into housing create any undo expense for the university to your knowledge? A. Having individuals who don't have degree aspirations in the halls, in my professional judgment, puts the extra burden on the student staff, and the halls, and the management of the halls in general. Q. You're talking about administrative burden? A. Yes. 	10 11 12 13 14 15 16 17 18 19 20 21	expulsion from the halls or the university. Q. So participants in the OPTIONS Program, if they were allowed in, you've given me one example of undo burden to the student housing monitors; or hall monitors, or what? A. Residential assistants. Q. Residential assistants, thank you. What other undo burdens do you see for these residential assistants? A. The residential assistants would, in trying to create community, could they expect the nonenrolled students to be integrated in the kinds of activities. They have floor meetings, they have faculty coming into the halls talking to the students. They try to get their entire floor there, if they don't, now this is not a disciplinary situation,
11 12 13 14 15 16 17 18 19 20 21 22 23	 A. I wouldn't want to oversee a presidential system where you pick and choose which participates in unique programs live in the residence halls. Q. Would allowing the participants in the options program into housing create any undo expense for the university to your knowledge? A. Having individuals who don't have degree aspirations in the halls, in my professional judgment, puts the extra burden on the student staff, and the halls, and the management of the halls in general. Q. You're talking about administrative burden? A. Yes. Q. I was going to ask that next. Since you brought it up, 	10 11 12 13 14 15 16 17 18 19 20 21 22 23	expulsion from the halls or the university. Q. So participants in the OPTIONS Program, if they were allowed in, you've given me one example of undo burden to the student housing monitors; or hall monitors, or what? A. Residential assistants. Q. Residential assistants, thank you. What other undo burdens do you see for these residential assistants? A. The residential assistants would, in trying to create community, could they expect the nonenrolled students to be integrated in the kinds of activities. They have floor meetings, they have faculty coming into the halls talking to the students. They try to get their entire floor there, if they don't, now this is not a disciplinary situation, but if the students don't come, the enrolled students, they
11 12 13 14 15 16 17 18 19 20 21 22	 A. I wouldn't want to oversee a presidential system where you pick and choose which participates in unique programs live in the residence halls. Q. Would allowing the participants in the options program into housing create any undo expense for the university to your knowledge? A. Having individuals who don't have degree aspirations in the halls, in my professional judgment, puts the extra burden on the student staff, and the halls, and the management of the halls in general. Q. You're talking about administrative burden? A. Yes. 	10 11 12 13 14 15 16 17 18 19 20 21	expulsion from the halls or the university. Q. So participants in the OPTIONS Program, if they were allowed in, you've given me one example of undo burden to the student housing monitors; or hall monitors, or what? A. Residential assistants. Q. Residential assistants, thank you. What other undo burdens do you see for these residential assistants? A. The residential assistants would, in trying to create community, could they expect the nonenrolled students to be integrated in the kinds of activities. They have floor meetings, they have faculty coming into the halls talking to the students. They try to get their entire floor there, if they don't, now this is not a disciplinary situation,

8 (Pages 29 to 32)

	Page 33		Page 35
í ¹	environment where the kinds of programs that we have that	1	housing?
2	are directly focused on engaging the students in their	2	MR. BOONIN: You're assuming that they are in
3	academic work, would apply to nonstudents, not enrolled	3	housing.
4	students. And if they, if they choose not to be a	4	A. The contract, right, the contract isn't available for
5	participant it's, you become a landlord under those	5	nonuniversity matriculated individuals.
6	conditions as opposed to an academic environment that is	6	Q. (Continuing by Mr. Davis:) Okay. I'm talking about
7	trying very hard with the services, and requirements, and	7	students matriculated.
8	the rules and regulations, to keep the students on track to	8	A. Matriculated students.
9	getting, to staying in school and ultimately getting their	9	Q. That are living on campus, been accepted into campus
10	degree.	10	housing.
11	Q. Do you understand, is it your understanding that one of the	11	A. Uh-huh.
12	objectives of the OPTIONS Program is to have the students	12	Q. If they violate the rules and terms and conditions of
13	experience the college setting with other peers of their	13	living on campus housing, let's say someone starts a fire,
14	own age?	14	or maybe they're illegally dealing drugs out of their dorm
15	A. I understand that.	15	room, they can't be removed from dormitory campus housing,
16	Q. That's your understanding of one of the goals?	16	is that what you're telling me?
17	A. That's one of the goals that I've read.	17	A. No, I am not telling you that. Current students who have
18	Q. That would be including both responsibilities and benefits	18	been admitted to the university, who are, who the contract,
19	of such an experience?	19	the housing contract was designed for, can be removed if
20	A. That would be, that would be an outgrowth of that	20	they violate the rules and regulations.
21	assumption, that there could be benefits.	21	Q. And how would that process be?
22	Q. I guess in looking at the administrative burden that we've	22	A. The process would be a hearing of some kind before a
23	talked about, if they're not following rules and	23	university official that would determine, or a hearing
24	responsibilities of any student on campus housing situation	24	board, whether or not they can continue to live in
25	are required to do, I guess I'm not seeing what the	25	university housing.
	Page 34		Page 36
1	additional administrative burden would be. They would be	1	
2	additional administrative builden would be. They would be i		O In it was a like a draw at 1 1 11 11 11 11 11 11 11 11 11 11 11 1
			Q. Is it possible that they would be expelling from the
	disciplined just as any other student would be, what is the	2	university housing but remain a student at the university?
3	disciplined just as any other student would be, what is the administrative burden?	2	university housing but remain a student at the university? A. Yes.
3 4	disciplined just as any other student would be, what is the administrative burden? A. But they wouldn't be subject to the rules and regulations	2 3 4	university housing but remain a student at the university? A. Yes. Q. So if you had a student, or if you had a participant in the
3 4 5	disciplined just as any other student would be, what is the administrative burden? A. But they wouldn't be subject to the rules and regulations in the handbook, they aren't an enrolled student. By	2 3 4 5	university housing but remain a student at the university? A. Yes. Q. So if you had a student, or if you had a participant in the OPTIONS Program, and they were admitted to the housing
3 4 5 6	disciplined just as any other student would be, what is the administrative burden? A. But they wouldn't be subject to the rules and regulations in the handbook, they aren't an enrolled student. By signing off, or whatever we do now, I'm not sure, that they	2 3 4 5 6	university housing but remain a student at the university? A. Yes. Q. So if you had a student, or if you had a participant in the OPTIONS Program, and they were admitted to the housing program, and they violated the terms and conditions of
3 4 5 6 7	disciplined just as any other student would be, what is the administrative burden? A. But they wouldn't be subject to the rules and regulations in the handbook, they aren't an enrolled student. By signing off, or whatever we do now, I'm not sure, that they agree to abide by those rules and regulations. That's our	2 3 4 5 6 7	university housing but remain a student at the university? A. Yes. Q. So if you had a student, or if you had a participant in the OPTIONS Program, and they were admitted to the housing program, and they violated the terms and conditions of living in housing on campus, couldn't they be expelling
3 4 5 6 7 8	disciplined just as any other student would be, what is the administrative burden? A. But they wouldn't be subject to the rules and regulations in the handbook, they aren't an enrolled student. By signing off, or whatever we do now, I'm not sure, that they agree to abide by those rules and regulations. That's our in effect, way of interacting with our students, enrolled	2 3 4 5 6 7 8	university housing but remain a student at the university? A. Yes. Q. So if you had a student, or if you had a participant in the OPTIONS Program, and they were admitted to the housing program, and they violated the terms and conditions of living in housing on campus, couldn't they be expelling from the housing?
3 4 5 6 7 8	disciplined just as any other student would be, what is the administrative burden? A. But they wouldn't be subject to the rules and regulations in the handbook, they aren't an enrolled student. By signing off, or whatever we do now, I'm not sure, that they agree to abide by those rules and regulations. That's our in effect, way of interacting with our students, enrolled students in the residence halls. If you aren't a student,	2 3 4 5 6 7 8 9	 university housing but remain a student at the university? A. Yes. Q. So if you had a student, or if you had a participant in the OPTIONS Program, and they were admitted to the housing program, and they violated the terms and conditions of living in housing on campus, couldn't they be expelling from the housing? A. Well, they wouldn't be admitted to housing because they
3 4 5 6 7 8 9	disciplined just as any other student would be, what is the administrative burden? A. But they wouldn't be subject to the rules and regulations in the handbook, they aren't an enrolled student. By signing off, or whatever we do now, I'm not sure, that they agree to abide by those rules and regulations. That's our in effect, way of interacting with our students, enrolled students in the residence halls. If you aren't a student, those rules don't apply, the disciplinary process isn't	2 3 4 5 6 7 8 9	 university housing but remain a student at the university? A. Yes. Q. So if you had a student, or if you had a participant in the OPTIONS Program, and they were admitted to the housing program, and they violated the terms and conditions of living in housing on campus, couldn't they be expelling from the housing? A. Well, they wouldn't be admitted to housing because they aren't a student, that's the gate. And they, it's a
3 4 5 6 7 8 9 10	disciplined just as any other student would be, what is the administrative burden? A. But they wouldn't be subject to the rules and regulations in the handbook, they aren't an enrolled student. By signing off, or whatever we do now, I'm not sure, that they agree to abide by those rules and regulations. That's our in effect, way of interacting with our students, enrolled students in the residence halls. If you aren't a student, those rules don't apply, the disciplinary process isn't designed for nonstudents. We don't have the leverage	2 3 4 5 6 7 8 9 10	university housing but remain a student at the university? A. Yes. Q. So if you had a student, or if you had a participant in the OPTIONS Program, and they were admitted to the housing program, and they violated the terms and conditions of living in housing on campus, couldn't they be expelling from the housing? A. Well, they wouldn't be admitted to housing because they aren't a student, that's the gate. And they, it's a speculation if they were to be admitted into housing.
3 4 5 6 7 8 9 10 11	disciplined just as any other student would be, what is the administrative burden? A. But they wouldn't be subject to the rules and regulations in the handbook, they aren't an enrolled student. By signing off, or whatever we do now, I'm not sure, that they agree to abide by those rules and regulations. That's our in effect, way of interacting with our students, enrolled students in the residence halls. If you aren't a student, those rules don't apply, the disciplinary process isn't designed for nonstudents. We don't have the leverage ultimately with a nonstudent of suspending them from the	2 3 4 5 6 7 8 9 10 11	university housing but remain a student at the university? A. Yes. Q. So if you had a student, or if you had a participant in the OPTIONS Program, and they were admitted to the housing program, and they violated the terms and conditions of living in housing on campus, couldn't they be expelling from the housing? A. Well, they wouldn't be admitted to housing because they aren't a student, that's the gate. And they, it's a speculation if they were to be admitted into housing. Q. I'm asking you to speculate.
3 4 5 6 7 8 9 10 11 12	disciplined just as any other student would be, what is the administrative burden? A. But they wouldn't be subject to the rules and regulations in the handbook, they aren't an enrolled student. By signing off, or whatever we do now, I'm not sure, that they agree to abide by those rules and regulations. That's our in effect, way of interacting with our students, enrolled students in the residence halls. If you aren't a student, those rules don't apply, the disciplinary process isn't designed for nonstudents. We don't have the leverage ultimately with a nonstudent of suspending them from the university for a semester, or all the way up to expulsion.	2 3 4 5 6 7 8 9 10 11 12	university housing but remain a student at the university? A. Yes. Q. So if you had a student, or if you had a participant in the OPTIONS Program, and they were admitted to the housing program, and they violated the terms and conditions of living in housing on campus, couldn't they be expelling from the housing? A. Well, they wouldn't be admitted to housing because they aren't a student, that's the gate. And they, it's a speculation if they were to be admitted into housing. Q. I'm asking you to speculate. A. I don't prefer to speculate, because they, they wouldn't,
3 4 5 6 7 8 9 10 11 12 13	disciplined just as any other student would be, what is the administrative burden? A. But they wouldn't be subject to the rules and regulations in the handbook, they aren't an enrolled student. By signing off, or whatever we do now, I'm not sure, that they agree to abide by those rules and regulations. That's our in effect, way of interacting with our students, enrolled students in the residence halls. If you aren't a student, those rules don't apply, the disciplinary process isn't designed for nonstudents. We don't have the leverage ultimately with a nonstudent of suspending them from the university for a semester, or all the way up to expulsion. Q. Can the participants in the OPTIONS Program be asked to	2 3 4 5 6 7 8 9 10 11 12 13	university housing but remain a student at the university? A. Yes. Q. So if you had a student, or if you had a participant in the OPTIONS Program, and they were admitted to the housing program, and they violated the terms and conditions of living in housing on campus, couldn't they be expelling from the housing? A. Well, they wouldn't be admitted to housing because they aren't a student, that's the gate. And they, it's a speculation if they were to be admitted into housing. Q. I'm asking you to speculate. A. I don't prefer to speculate, because they, they wouldn't, they would not be allowed to live in housing.
3 4 5 6 7 8 9 10 11 12 13 14 15	disciplined just as any other student would be, what is the administrative burden? A. But they wouldn't be subject to the rules and regulations in the handbook, they aren't an enrolled student. By signing off, or whatever we do now, I'm not sure, that they agree to abide by those rules and regulations. That's our in effect, way of interacting with our students, enrolled students in the residence halls. If you aren't a student, those rules don't apply, the disciplinary process isn't designed for nonstudents. We don't have the leverage ultimately with a nonstudent of suspending them from the university for a semester, or all the way up to expulsion. Q. Can the participants in the OPTIONS Program be asked to leave the housing setting if they don't abide by the rules	2 3 4 5 6 7 8 9 10 11 12 13 14 15	university housing but remain a student at the university? A. Yes. Q. So if you had a student, or if you had a participant in the OPTIONS Program, and they were admitted to the housing program, and they violated the terms and conditions of living in housing on campus, couldn't they be expelling from the housing? A. Well, they wouldn't be admitted to housing because they aren't a student, that's the gate. And they, it's a speculation if they were to be admitted into housing. Q. I'm asking you to speculate. A. I don't prefer to speculate, because they, they wouldn't, they would not be allowed to live in housing. MR. BOONIN: Objection, there are way too many
3 4 5 6 7 8 9 10 11 12 13 14 15 16	disciplined just as any other student would be, what is the administrative burden? A. But they wouldn't be subject to the rules and regulations in the handbook, they aren't an enrolled student. By signing off, or whatever we do now, I'm not sure, that they agree to abide by those rules and regulations. That's our in effect, way of interacting with our students, enrolled students in the residence halls. If you aren't a student, those rules don't apply, the disciplinary process isn't designed for nonstudents. We don't have the leverage ultimately with a nonstudent of suspending them from the university for a semester, or all the way up to expulsion. Q. Can the participants in the OPTIONS Program be asked to leave the housing setting if they don't abide by the rules and responsibilities?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	university housing but remain a student at the university? A. Yes. Q. So if you had a student, or if you had a participant in the OPTIONS Program, and they were admitted to the housing program, and they violated the terms and conditions of living in housing on campus, couldn't they be expelling from the housing? A. Well, they wouldn't be admitted to housing because they aren't a student, that's the gate. And they, it's a speculation if they were to be admitted into housing. Q. I'm asking you to speculate. A. I don't prefer to speculate, because they, they wouldn't, they would not be allowed to live in housing. MR. BOONIN: Objection, there are way too many things that she's going to have to assume in this
3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	disciplined just as any other student would be, what is the administrative burden? A. But they wouldn't be subject to the rules and regulations in the handbook, they aren't an enrolled student. By signing off, or whatever we do now, I'm not sure, that they agree to abide by those rules and regulations. That's our in effect, way of interacting with our students, enrolled students in the residence halls. If you aren't a student, those rules don't apply, the disciplinary process isn't designed for nonstudents. We don't have the leverage ultimately with a nonstudent of suspending them from the university for a semester, or all the way up to expulsion. Q. Can the participants in the OPTIONS Program be asked to leave the housing setting if they don't abide by the rules and responsibilities? A. That would be a separate set of agreements and a contract I	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	university housing but remain a student at the university? A. Yes. Q. So if you had a student, or if you had a participant in the OPTIONS Program, and they were admitted to the housing program, and they violated the terms and conditions of living in housing on campus, couldn't they be expelling from the housing? A. Well, they wouldn't be admitted to housing because they aren't a student, that's the gate. And they, it's a speculation if they were to be admitted into housing. Q. I'm asking you to speculate. A. I don't prefer to speculate, because they, they wouldn't, they would not be allowed to live in housing. MR. BOONIN: Objection, there are way too many things that she's going to have to assume in this hypothetical as to, what's the contract, what's the
3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	disciplined just as any other student would be, what is the administrative burden? A. But they wouldn't be subject to the rules and regulations in the handbook, they aren't an enrolled student. By signing off, or whatever we do now, I'm not sure, that they agree to abide by those rules and regulations. That's our in effect, way of interacting with our students, enrolled students in the residence halls. If you aren't a student, those rules don't apply, the disciplinary process isn't designed for nonstudents. We don't have the leverage ultimately with a nonstudent of suspending them from the university for a semester, or all the way up to expulsion. Q. Can the participants in the OPTIONS Program be asked to leave the housing setting if they don't abide by the rules and responsibilities? A. That would be a separate set of agreements and a contract I would presume.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	university housing but remain a student at the university? A. Yes. Q. So if you had a student, or if you had a participant in the OPTIONS Program, and they were admitted to the housing program, and they violated the terms and conditions of living in housing on campus, couldn't they be expelling from the housing? A. Well, they wouldn't be admitted to housing because they aren't a student, that's the gate. And they, it's a speculation if they were to be admitted into housing. Q. I'm asking you to speculate. A. I don't prefer to speculate, because they, they wouldn't, they would not be allowed to live in housing. MR. BOONIN: Objection, there are way too many things that she's going to have to assume in this hypothetical as to, what's the contract, what's the student, what the terms are.
3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	disciplined just as any other student would be, what is the administrative burden? A. But they wouldn't be subject to the rules and regulations in the handbook, they aren't an enrolled student. By signing off, or whatever we do now, I'm not sure, that they agree to abide by those rules and regulations. That's our in effect, way of interacting with our students, enrolled students in the residence halls. If you aren't a student, those rules don't apply, the disciplinary process isn't designed for nonstudents. We don't have the leverage ultimately with a nonstudent of suspending them from the university for a semester, or all the way up to expulsion. Q. Can the participants in the OPTIONS Program be asked to leave the housing setting if they don't abide by the rules and responsibilities? A. That would be a separate set of agreements and a contract I would presume. Q. That's not included in the current housing agreement, that	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	university housing but remain a student at the university? A. Yes. Q. So if you had a student, or if you had a participant in the OPTIONS Program, and they were admitted to the housing program, and they violated the terms and conditions of living in housing on campus, couldn't they be expelling from the housing? A. Well, they wouldn't be admitted to housing because they aren't a student, that's the gate. And they, it's a speculation if they were to be admitted into housing. Q. I'm asking you to speculate. A. I don't prefer to speculate, because they, they wouldn't, they would not be allowed to live in housing. MR. BOONIN: Objection, there are way too many things that she's going to have to assume in this hypothetical as to, what's the contract, what's the student, what the terms are. Q. (Continuing by Mr. Davis:) Okay. When you were
3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	disciplined just as any other student would be, what is the administrative burden? A. But they wouldn't be subject to the rules and regulations in the handbook, they aren't an enrolled student. By signing off, or whatever we do now, I'm not sure, that they agree to abide by those rules and regulations. That's our in effect, way of interacting with our students, enrolled students in the residence halls. If you aren't a student, those rules don't apply, the disciplinary process isn't designed for nonstudents. We don't have the leverage ultimately with a nonstudent of suspending them from the university for a semester, or all the way up to expulsion. Q. Can the participants in the OPTIONS Program be asked to leave the housing setting if they don't abide by the rules and responsibilities? A. That would be a separate set of agreements and a contract I would presume. Q. That's not included in the current housing agreement, that they don't follow the rules and terms and conditions of	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	university housing but remain a student at the university? A. Yes. Q. So if you had a student, or if you had a participant in the OPTIONS Program, and they were admitted to the housing program, and they violated the terms and conditions of living in housing on campus, couldn't they be expelling from the housing? A. Well, they wouldn't be admitted to housing because they aren't a student, that's the gate. And they, it's a speculation if they were to be admitted into housing. Q. I'm asking you to speculate. A. I don't prefer to speculate, because they, they wouldn't, they would not be allowed to live in housing. MR. BOONIN: Objection, there are way too many things that she's going to have to assume in this hypothetical as to, what's the contract, what's the student, what the terms are. Q. (Continuing by Mr. Davis:) Okay. When you were considering Micah's request to reconsider allowing him to
3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	disciplined just as any other student would be, what is the administrative burden? A. But they wouldn't be subject to the rules and regulations in the handbook, they aren't an enrolled student. By signing off, or whatever we do now, I'm not sure, that they agree to abide by those rules and regulations. That's our in effect, way of interacting with our students, enrolled students in the residence halls. If you aren't a student, those rules don't apply, the disciplinary process isn't designed for nonstudents. We don't have the leverage ultimately with a nonstudent of suspending them from the university for a semester, or all the way up to expulsion. Q. Can the participants in the OPTIONS Program be asked to leave the housing setting if they don't abide by the rules and responsibilities? A. That would be a separate set of agreements and a contract I would presume. Q. That's not included in the current housing agreement, that they don't follow the rules and terms and conditions of living on campus, that they can't be asked to leave the	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	university housing but remain a student at the university? A. Yes. Q. So if you had a student, or if you had a participant in the OPTIONS Program, and they were admitted to the housing program, and they violated the terms and conditions of living in housing on campus, couldn't they be expelling from the housing? A. Well, they wouldn't be admitted to housing because they aren't a student, that's the gate. And they, it's a speculation if they were to be admitted into housing. Q. I'm asking you to speculate. A. I don't prefer to speculate, because they, they wouldn't, they would not be allowed to live in housing. MR. BOONIN: Objection, there are way too many things that she's going to have to assume in this hypothetical as to, what's the contract, what's the student, what the terms are. Q. (Continuing by Mr. Davis:) Okay. When you were considering Micah's request to reconsider allowing him to live on campus, did you ever consider the possibility that
3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	disciplined just as any other student would be, what is the administrative burden? A. But they wouldn't be subject to the rules and regulations in the handbook, they aren't an enrolled student. By signing off, or whatever we do now, I'm not sure, that they agree to abide by those rules and regulations. That's our in effect, way of interacting with our students, enrolled students in the residence halls. If you aren't a student, those rules don't apply, the disciplinary process isn't designed for nonstudents. We don't have the leverage ultimately with a nonstudent of suspending them from the university for a semester, or all the way up to expulsion. Q. Can the participants in the OPTIONS Program be asked to leave the housing setting if they don't abide by the rules and responsibilities? A. That would be a separate set of agreements and a contract I would presume. Q. That's not included in the current housing agreement, that they don't follow the rules and terms and conditions of living on campus, that they can't be asked to leave the housing?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	university housing but remain a student at the university? A. Yes. Q. So if you had a student, or if you had a participant in the OPTIONS Program, and they were admitted to the housing program, and they violated the terms and conditions of living in housing on campus, couldn't they be expelling from the housing? A. Well, they wouldn't be admitted to housing because they aren't a student, that's the gate. And they, it's a speculation if they were to be admitted into housing. Q. I'm asking you to speculate. A. I don't prefer to speculate, because they, they wouldn't, they would not be allowed to live in housing. MR. BOONIN: Objection, there are way too many things that she's going to have to assume in this hypothetical as to, what's the contract, what's the student, what the terms are. Q. (Continuing by Mr. Davis:) Okay. When you were considering Micah's request to reconsider allowing him to live on campus, did you ever consider the possibility that if you allowed him to live in the dorms, that there might
3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	disciplined just as any other student would be, what is the administrative burden? A. But they wouldn't be subject to the rules and regulations in the handbook, they aren't an enrolled student. By signing off, or whatever we do now, I'm not sure, that they agree to abide by those rules and regulations. That's our in effect, way of interacting with our students, enrolled students in the residence halls. If you aren't a student, those rules don't apply, the disciplinary process isn't designed for nonstudents. We don't have the leverage ultimately with a nonstudent of suspending them from the university for a semester, or all the way up to expulsion. Q. Can the participants in the OPTIONS Program be asked to leave the housing setting if they don't abide by the rules and responsibilities? A. That would be a separate set of agreements and a contract I would presume. Q. That's not included in the current housing agreement, that they don't follow the rules and terms and conditions of living on campus, that they can't be asked to leave the housing? A. That is true, that is part of the current contract.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	university housing but remain a student at the university? A. Yes. Q. So if you had a student, or if you had a participant in the OPTIONS Program, and they were admitted to the housing program, and they violated the terms and conditions of living in housing on campus, couldn't they be expelling from the housing? A. Well, they wouldn't be admitted to housing because they aren't a student, that's the gate. And they, it's a speculation if they were to be admitted into housing. Q. I'm asking you to speculate. A. I don't prefer to speculate, because they, they wouldn't, they would not be allowed to live in housing. MR. BOONIN: Objection, there are way too many things that she's going to have to assume in this hypothetical as to, what's the contract, what's the student, what the terms are. Q. (Continuing by Mr. Davis:) Okay. When you were considering Micah's request to reconsider allowing him to live on campus, did you ever consider the possibility that if you allowed him to live in the dorms, that there might be some disciplinary action to be taken against him?
3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	disciplined just as any other student would be, what is the administrative burden? A. But they wouldn't be subject to the rules and regulations in the handbook, they aren't an enrolled student. By signing off, or whatever we do now, I'm not sure, that they agree to abide by those rules and regulations. That's our in effect, way of interacting with our students, enrolled students in the residence halls. If you aren't a student, those rules don't apply, the disciplinary process isn't designed for nonstudents. We don't have the leverage ultimately with a nonstudent of suspending them from the university for a semester, or all the way up to expulsion. Q. Can the participants in the OPTIONS Program be asked to leave the housing setting if they don't abide by the rules and responsibilities? A. That would be a separate set of agreements and a contract I would presume. Q. That's not included in the current housing agreement, that they don't follow the rules and terms and conditions of living on campus, that they can't be asked to leave the housing?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	university housing but remain a student at the university? A. Yes. Q. So if you had a student, or if you had a participant in the OPTIONS Program, and they were admitted to the housing program, and they violated the terms and conditions of living in housing on campus, couldn't they be expelling from the housing? A. Well, they wouldn't be admitted to housing because they aren't a student, that's the gate. And they, it's a speculation if they were to be admitted into housing. Q. I'm asking you to speculate. A. I don't prefer to speculate, because they, they wouldn't, they would not be allowed to live in housing. MR. BOONIN: Objection, there are way too many things that she's going to have to assume in this hypothetical as to, what's the contract, what's the student, what the terms are. Q. (Continuing by Mr. Davis:) Okay. When you were considering Micah's request to reconsider allowing him to live on campus, did you ever consider the possibility that if you allowed him to live in the dorms, that there might

9 (Pages 33 to 36)